

Executive Summary – Enforcement Matter – Case No. 50281
Houston Refining LP
RN100218130
Docket No. 2015-0454-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Houston Refining, 12000 Lawndale Street, Houston, Harris County

Type of Operation:

Petroleum refinery

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: No

Texas Register Publication Date: August 28, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$118,127

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$59,064

Total Due to General Revenue: \$0

Payment Plan: N/A

Supplemental Environmental Project (“SEP”) Conditional Offset: \$59,063

Name of SEP: Texas City Independent School District (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major or Minor Source: Major

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Executive Summary – Enforcement Matter – Case No. 50281

Houston Refining LP

RN100218130

Docket No. 2015-0454-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 14, 2014

Date(s) of NOE(s): February 26, 2015

Violation Information

1. Failed to comply with the concentration limits [30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 60.104(a)(2)(i), Federal Operating Permit ("FOP") No. O1372, Special Terms and Conditions ("STC") Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, Special Conditions ("SC") No. 36].
2. Failed to comply with the concentration limits [30 TEX. ADMIN. CODE §§ 101.20(1) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CFR § 60.103(a), and FOP No. O1372, STC No. 1.A].
3. Failed to comply with the concentration limits [30 TEX. ADMIN. CODE §§ 117.310(c)(1)(A) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1372, STC No. 1.A].
4. Failed to comply with the concentration limits [30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CFR § 60.104(a)(1), FOP No. O1372, STC Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, SC No. 25].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures:

- a. By April 18, 2014, implemented measures to demonstrate compliance with the carbon monoxide ("CO") concentration limit for Emission Point Number ("EPN") 732D0063;
- b. By May 22, 2014, implemented measures to demonstrate compliance with the sulfur dioxide concentration limits for EPNs 435F1402 and 440F2002;
- c. By June 2, 2014, implemented measures to demonstrate compliance with the CO concentration limits for EPNs 536F0002, 537F0002, 139SP1700A, and 737F0001; and
- d. By June 21, 2014, implemented measures to demonstrate compliance with the hydrogen sulfide concentration limit for the refinery fuel gas.

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Technical Requirements:

The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Amancio R. Gutierrez, Enforcement Division, Enforcement Team 5, MC 149, (512) 239-3921; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

Respondent: Bob Gardner, Environmental Consulting Engineer, Houston Refining LP, 12000 Lawndale Street, Houston, Texas 77017

Greg Nevermann, Site Manager, Houston Refining LP, 12000 Lawndale, Houston, Texas 77017

Respondent's Attorney: N/A

Attachment A
Docket Number: 2015-0454-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Houston Refining LP
Penalty Amount:	One Hundred Eighteen Thousand One Hundred Twenty-Seven Dollars (\$118,127)
SEP Offset Amount:	Fifty-Nine Thousand Sixty-Three Dollars (\$59,063)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas City Independent School District
Project Name:	<i>TCISD Alternative Fuel School Bus Program</i>
Location of SEP:	Houston-Galveston Airshed

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas City Independent School District** for the *TCISD Alternative Fuel School Bus Program* project. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to purchase lower-emission propane fueled school buses that are model year 2010 or newer ("Replacement Bus(es)") to replace buses currently in the fleet that are model year 2006 or older ("Older Bus(es)"). The Older Buses will then be decommissioned, thus permanently removing them from the roads. The SEP Offset Amount shall only be used for the purchase of a base model propane fueled Replacement Bus. The Third-Party Administrator shall own and operate each Replacement Bus for at least five years following the date of purchase.

The Third-Party Administrator shall give preference to replacing the oldest, most polluting buses within its fleet. Only Older Buses that are currently in regular use, driven on a regular route on a weekly basis for at least the past two years are eligible for replacement.

The Third-Party Administrator shall ensure that each Replacement Bus purchased has an engine that meets the Environmental Protection Agency's 2010 emissions standards. Additionally, all Older Buses that are replaced shall be fully decommissioned as required in the SEP Vehicle Disposition Form. All funds received for the scrap value of the Older Bus shall be deposited into the SEP Account and become part of the SEP. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The Project will directly benefit air quality in Third-Party Administrator's region by reducing harmful exhaust emissions from older school buses by replacing them with lower-emission propane buses. Older school bus engines emit greater amounts of harmful pollutants such as nitrous oxides, particulate matter, volatile organic compounds, and carbon monoxide than newer, lower-emission buses. These pollutants contribute to the formation of ground level ozone which damages vegetation and ecosystems and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas City Independent School District SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston Refining LP
Agreed Order - Attachment A

Texas City Independent School District SEP
Attention: John Johnson, Consultant
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality", and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ DATES	Assigned	3-Mar-2015	Screening	18-Mar-2015	EPA Due	
	PCW	1-Jul-2015				

RESPONDENT/FACILITY INFORMATION

Respondent	Houston Refining LP		
Reg. Ent. Ref. No.	RN100218130		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	50281	No. of Violations	4
Docket No.	2015-0454-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Amancio R. Gutierrez
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$67,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **100.0%** Enhancement **Subtotals 2, 3, & 7** **\$67,500**

Notes: Enhancement for two NOV's with same/similar violations, 10 orders with denial of liability, and two orders without denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **-\$16,873**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts \$790
Estimated Cost of Compliance \$20,000
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$118,127**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$118,127**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$118,127**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$118,127**

Screening Date 18-Mar-2015

Docket No. 2015-0454-AIR-E

PCW

Respondent Houston Refining LP

Policy Revision 4 (April 2014)

Case ID No. 50281

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100218130

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	10	200%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	2	50%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	3	-3%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 255%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for two NOVs with same/similar violations, 10 orders with denial of liability, and two orders without denial of liability. Reduction for three notices of intent to conduct an audit and one disclosure of violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 255%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 100%

Screening Date 18-Mar-2015

Docket No. 2015-0454-AIR-E

PCW

Respondent Houston Refining LP

Policy Revision 4 (April 2014)

Case ID No. 50281

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100218130

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1) and (3), 116.715(a), and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 Code of Federal Regulations ("CFR") § 60.104(a)(2)(i), Federal Operating Permit ("FOP") No. O1372, Special Terms and Conditions ("STC") Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, Special Conditions ("SC") No. 36

Violation Description

Failed to comply with the concentration limits. Specifically, the Respondent exceeded the maximum concentration limit of 250 parts per million by volume dry ("ppmvd") of sulfur dioxide ("SO₂") and the maximum concentration limit of 235 ppmvd of SO₂ based on a one-hour average for Emission Point Number ("EPN") 435F1402 on two occasions on July 4, 2013 and six occasions from January 24, 2014 through May 22, 2014 by concentrations that ranged from 240 ppmvd of SO₂ to 2,033 ppmvd of SO₂; and for EPN 440F2002 on 21 occasions from July 4, 2013 through May 22, 2014 by concentrations that ranged from 237 ppmvd of SO₂ to 1,354 ppmvd of SO₂.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 7

15 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$26,250

Seven quarterly events are recommended for the instances of non-compliance that occurred from July 4, 2013 through May 22, 2014 (three for EPN 435F1402 and four for EPN 440F2002).

Good Faith Efforts to Comply

25.0%

Reduction \$6,562

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent completed corrective measures on May 22, 2014, before the February 26, 2015 Notice of Enforcement ("NOE").

Violation Subtotal \$19,688

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$221

Violation Final Penalty Total \$45,938

This violation Final Assessed Penalty (adjusted for limits) \$45,938

Economic Benefit Worksheet

Respondent Houston Refining LP
Case ID No. 50281
Reg. Ent. Reference No. RN100218130
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	4-Jul-2013	22-May-2014	0.88	\$221	n/a	\$221

Notes for DELAYED costs

Estimated cost to implement measures to demonstrate compliance with the SO2 concentration limits for EPNs 435F1402 and 440F2002. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$221

Screening Date 18-Mar-2015

Docket No. 2015-0454-AIR-E

PCW

Respondent Houston Refining LP

Policy Revision 4 (April 2014)

Case ID No. 50281

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100218130

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(1) and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 CFR § 60.103(a), and FOP No. O1372, STC No. 1.A.

Violation Description

Failed to comply with the concentration limits. Specifically, the Respondent exceeded the maximum concentration limit of 500 ppmvd of carbon monoxide ("CO") for the Wet Gas Scrubber, EPN 732D0063, on 26 occasions during the period from August 24, 2013 through April 17, 2014 by concentrations that ranged from 520 ppmvd of CO to 1,000 ppmvd of CO.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3

7 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$11,250

Three quarterly events are recommended for the instances of non-compliance that occurred from August 24, 2013 through April 7, 2014.

Good Faith Efforts to Comply

25.0%

Reduction \$2,812

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes The Respondent completed corrective measures on April 18, 2014, before the February 26, 2015 NOE.

Violation Subtotal \$8,438

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$162

Violation Final Penalty Total \$19,688

This violation Final Assessed Penalty (adjusted for limits) \$19,688

Economic Benefit Worksheet

Respondent Houston Refining LP

Case ID No. 50281

Reg. Ent. Reference No. RN100218130

Media Air

Violation No. 2

Percent Interest

Years of Depreciation

5.0

15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	24-Aug-2013	18-Apr-2014	0.65	\$162	n/a	\$162

Notes for DELAYED costs

Estimated cost to implement measures to demonstrate compliance with the CO concentration limit for EPN 732D0063. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$162

Screening Date 18-Mar-2015

Docket No. 2015-0454-AIR-E

PCW

Respondent Houston Refining LP

Policy Revision 4 (April 2014)

Case ID No. 50281

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100218130

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code §§ 117.310(c)(1)(A) and 122.143(4), Tex. Health & Safety Code § 382.085(b), and FOP No. O1372, STC No. 1.A.

Violation Description

Failed to comply with the concentration limits. Specifically, the Respondent exceeded the maximum concentration limit of 400 parts per million by volume ("ppmv") of CO at 3.0% oxygen ("O2") based on a rolling 24-hour averaging period for the Vacuum Tower Heater, EPN 536F0002, on 134 occasions from December 24, 2013 through December 30, 2013 by concentrations that ranged from 401 ppmv of CO at 3.0% O2 to 494 ppmv of CO at 3.0% O2; Vacuum Heater No. 1, EPN 537F0002, on 69 occasions on August 3 and 4, 2013 and from April 5 through 7, 2014 by concentrations that ranged from 406 ppmv of CO at 3.0% O2 to 1,200 ppmv of CO at 3.0% O2; 737 Heater F001, EPN 737F0001, on 14 occasions on December 23, 2013 by concentrations that ranged from 410 ppmv of CO at 3.0% O2 to 488 ppmv of CO at 3.0% O2; and Marine Vapor Combustor, EPN 139SP1700A, on 29 occasions from April 10, 2014 through May 18, 2014 by concentrations that ranged from 402 ppmv of CO at 3.0% O2 to 536 ppmv of CO at 3.0% O2.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 5

17 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty \$18,750

Five quarterly events are recommended for the instances of non-compliance that occurred from August 3, 2013 through May 18, 2014 (one for EPN 536F0002, two for EPN 537F0002, one for EPN 737F0001, and one for EPN 139SP1700A).

Good Faith Efforts to Comply

25.0%

Reduction \$4,687

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes

The Respondent completed corrective measures on June 2, 2014, before the February 26, 2015 NOE.

Violation Subtotal \$14,063

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$208

Violation Final Penalty Total \$32,813

This violation Final Assessed Penalty (adjusted for limits) \$32,813

Economic Benefit Worksheet

Respondent Houston Refining LP

Case ID No. 50281

Reg. Ent. Reference No. RN100218130

Media Air

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	3-Aug-2013	2-Jun-2014	0.83	\$208	n/a	\$208

Notes for DELAYED costs

Estimated cost to implement measures to demonstrate compliance with the CO concentration limits for EPNs 536F0002, 537F0002, 139SP1700A, and 737F0001. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$208

Screening Date 18-Mar-2015

Docket No. 2015-0454-AIR-E

PCW

Respondent Houston Refining LP

Policy Revision 4 (April 2014)

Case ID No. 50281

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100218130

Media [Statute] Air

Enf. Coordinator Amancio R. Gutierrez

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(1) and (3), 116.715(a), and 122.143(4), Tex. Health & Safety Code § 382.085(b), 40 CFR § 60.104(a)(1), FOP No. 01372, STC Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, SC No. 25

Violation Description

Failed to comply with the concentration limits. Specifically, the Respondent exceeded the maximum concentration limit of 160 ppmv of hydrogen sulfide ("H2S") based on 3-hour rolling average for the refinery gas on 11 occasions from September 3, 2013 through December 5, 2013 and two occasions on June 21, 2014 by concentrations that ranged from 165 ppmv of H2S to 688 ppmv of H2S.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 15.0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3

6 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$11,250

Three quarterly events are recommended for the instances of non-compliance that occurred from September 3, 2013 through December 5, 2013 and on June 21, 2014.

Good Faith Efforts to Comply

25.0%

Reduction \$2,812

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent completed corrective measures on June 21, 2014, before the February 26, 2015 NOE.

Violation Subtotal \$8,438

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$199

Violation Final Penalty Total \$19,688

This violation Final Assessed Penalty (adjusted for limits) \$19,688

Economic Benefit Worksheet

Respondent Houston Refining LP
Case ID No. 50281
Reg. Ent. Reference No. RN100218130
Media Air
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	3-Sep-2013	21-Jun-2014	0.80	\$199	n/a	\$199

Notes for DELAYED costs

Estimated cost to implement measures to demonstrate compliance with the H2S concentration limit for the refinery fuel gas. The Date Required is the first date of non-compliance and the Final Date is the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$199

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PUBLISHED Compliance History Report for CN601313083, RN100218130, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN601313083, Houston Refining LP

Classification: SATISFACTORY

Rating: 7.63

Regulated Entity: RN100218130, HOUSTON REFINING

Classification: SATISFACTORY

Rating: 7.63

Complexity Points: 50

Repeat Violator: NO

CH Group: 02 - Oil and Petroleum Refineries

Location: 12000 LAWDALE ST HOUSTON, TX 77017-2740, HARRIS COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER HG0048L

POLLUTION PREVENTION PLANNING ID NUMBER P00404

AIR NEW SOURCE PERMITS PERMIT 2167

AIR NEW SOURCE PERMITS REGISTRATION 55719

AIR NEW SOURCE PERMITS EPA PERMIT PSDTX985

AIR NEW SOURCE PERMITS REGISTRATION 46595

AIR NEW SOURCE PERMITS REGISTRATION 87937

AIR NEW SOURCE PERMITS REGISTRATION 95583

AIR NEW SOURCE PERMITS REGISTRATION 102445

AIR NEW SOURCE PERMITS REGISTRATION 102539

AIR NEW SOURCE PERMITS REGISTRATION 102500

AIR NEW SOURCE PERMITS REGISTRATION 102533

AIR NEW SOURCE PERMITS REGISTRATION 102526

AIR NEW SOURCE PERMITS REGISTRATION 102448

AIR NEW SOURCE PERMITS REGISTRATION 102523

AIR NEW SOURCE PERMITS REGISTRATION 102540

AIR NEW SOURCE PERMITS REGISTRATION 102531

AIR NEW SOURCE PERMITS REGISTRATION 102511

AIR NEW SOURCE PERMITS REGISTRATION 109351

AIR NEW SOURCE PERMITS REGISTRATION 123232

AIR NEW SOURCE PERMITS REGISTRATION 113654

WASTEWATER EPA ID TX0003247

WATER LICENSING LICENSE 1011570

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD082688979

INDUSTRIAL AND HAZARDOUS WASTE OTS REQUEST

37881

AIR EMISSIONS INVENTORY ACCOUNT NUMBER HG0048L

Compliance History Period: September 01, 2009 to August 31, 2014

Rating Year: 2014

Rating Date: 09/01/2014

Date Compliance History Report Prepared: March 17, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: March 17, 2010 to March 17, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Amancio R. Gutierrez

Phone: (512) 239-3921

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) If **YES** for #2, who is the current owner/operator? Arco Pipe Line Company OWNER OPERATOR since 8/27/2003
Houston Refining LP OPERATOR since 5/8/2006

Houston Refining OWNER since 1/1/1800
Explorer Pipeline Company OWNER OPERATOR since 2/26/2015
A. J. Hurt, Jr., Incorporated OWNER since 4/1/2010
Lyondell-Citgo Refining Company Ltd. OWNER OPERATOR since 4/30/2012
ARCO PETROLEUM PRODUCTS CO OWNER since 3/3/1997
Houston Refining LP OWNER OPERATOR since 10/4/1979

- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? A. J. Hurt, Jr., Incorporated, OWNER, 5/8/2006 to 3/31/2010
5) If **YES**, when did the change(s) in owner or operator occur? 4/1/2010

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 07/11/2010 ADMINORDER 2010-0028-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits. Specifically, during an emissions event (Incident No. 131133) on October 24, 2009, operations personnel improperly lined up valves in the Butane Recovery Unit, causing the unauthorized release of 5,143 pounds of volatile organic compounds from a pressure safety valve (Emissions Point Number 233-UNIT) over a two minute period. Since these emissions could have been avoided by better operational practices, the emissions are not subject
- 2 Effective Date: 08/09/2010 ADMINORDER 2009-0779-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1. PERMIT
Description: Failed to comply with permitted emissions limits. Specifically, hydrogen sulfide emissions from barge loading at the dock, Emissions Point No. ("EPN") LL19DOCKD, are limited to 7.79 pounds per hour, but those emissions reported at 11.63 pounds per hour.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:STC 1A OP
STC 2 OP
Description: Failed to submit an emissions event report to the State of Texas Environmental Electronic Reporting System ("STEERS") within 24 hours of a reportable emissions event (Incident No. 123442). Specifically, the event occurred on January 7 and 8, 2007, but the STEERS report was not submitted until April 27, 2009.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits and the allowable site-wide hourly emissions cap for highly reactive volatile organic compounds ("HRVOC"). Specifically, during an emissions event (Incident No. 123442) on January 7 and 8, 2007, an improperly set pressure relief valve (EPN 938PSV0049) in the Paraxylene Recovery Unit released 4,500 pounds of ethylene over a 6.4 hour period
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 115, SubChapter H 115.722(c)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:SPECIAL CONDITION 1 PERMIT
Description: Failed to comply with permitted emissions limits and the allowable site-wide hourly emissions cap for HRVOC. Specifically, during an emissions event (Incident No. 124005) on May 8, 2009, an improperly open valve and a failed level indicator caused the # 2 Debutanizer Tower (EPN 732T0007) and a pressure relief valve (EPN 732PSV0337) in the Fluid Catalytic Cracking Unit to emit 3,753 pounds of volatile organic compounds (including 2,471 pounds of HRVOC), 0.3 pound of sulfur dioxide
- 3 Effective Date: 08/09/2010 ADMINORDER 2008-1454-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:TCEQ Flexible Permit No. 2167, SC #1 PERMIT
Description: Failed to prevent unauthorized emissions during Incident No. 112203.

- 4 Effective Date: 10/25/2010 ADMINORDER 2009-1158-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:2167 SC 1 PERMIT
Description: Failed to prevent the operator from inadvertently shutting down the Thermal Oxidizer causing an unauthorized release of emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)
5C THSC Chapter 382 382.085(b)
Description: Failed to include on their final report, the authorization number governing the facilities involved in the emissions event (Incident No. 124877) that occurred on May 29, 2009 in the SRU Unit.
- 5 Effective Date: 11/15/2010 ADMINORDER 2010-0641-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions.
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)
5C THSC Chapter 382 382.085(b)
Description: Failed to identify the compound descriptive type of all compounds or mixtures of air contaminants released during Incident No. 133389 in the final record.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:SPECIAL CONDITION 1 OP
Description: Failed to prevent unauthorized emissions.
- 6 Effective Date: 12/25/2010 ADMINORDER 2010-0211-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit an initial notification and final report for Incident No. 2008-770. Specifically, Incident No. 2008-770 was discovered on November 19, 2009 and ended November 24, 2009 and neither report was received.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 12,836 pounds ("lbs") of sulfur dioxide ("SO2") and 139 lbs of hydrogen sulfide ("H2S") from the 636 Hydrodesulfurization Unit during an emissions event (Incident No. 2008-770) that began November 18, 2009 and lasted 131 hours and 10 minutes. Since the cause of this event could not be determined and it was not reported, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense
Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 101, SubChapter F 101.201(b)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit an initial notification and final report for Incident No. 2009-344. Specifically, Incident No. 2009-344 was discovered on June 14, 2009 and lasted two hours and 24 minutes and neither report was received.
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 3,206 lbs of SO2 and 35 lbs of H2S from the 737 Delayed Coker Unit during an avoidabl emissions event (Incident No. 2009-344) that began June 14,

2009 and lasted two hours and 24 minutes. The event was the result of an unexpected change in compressor discharge temperature. Since this emissions event could have been avoided by better operational practices and was not reported, the demonstrations in 30 Tex. Admin.

- 7 Effective Date: 03/07/2011 ADMINORDER 2010-1315-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to properly replace a strainer in the 536 Crude Unit causing an emissions event (Incident No. 139853) on May 17, 2010, resulting in a fire and the release of unauthorized emissions of 1,543.92 pounds ("lbs") of sulfur dioxide, 229.03 lbs of nitrous oxides, 287.06 lbs of particulate matter, 20.99 lbs of carbon monoxide, 33.29 lbs of gas oil, and 3.11 lbs of gasoline blend stock during an emissions event lasting one hour
- 8 Effective Date: 07/31/2011 ADMINORDER 2010-2029-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions during an emissions event that occurred on August 15, 2010. Specifically, the Respondent released 2,475.45 pounds ("lbs") of sulfur dioxide, 185.18 lbs of nitrogen oxides, 28.39 lbs of carbon monoxide, 35.51 lbs of particulate matter, 179.71 lbs of fuel oil 6, and 265.22 lbs of diesel fuel from a ruptured tube in the furnace of 737 Coker Unit during an emissions event that lasted approximately two hours (Incident No. 143549).
- 9 Effective Date: 08/27/2011 ADMINORDER 2011-0308-AIR-E (Findings Order-Agreed Order Without Denial)
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov:Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.715(a), TEX. HEALTH & SAFETY CODE § 382.085(b), and Flexible Permit Nos. 2167 and PSD-TX-985, Special Conditions No. 1. Since this emissions event could have been avoided by better operational practices and was reported late, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present affirmative defense were not met.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
5C THSC Chapter 382 382.085(b)
Description: Failed to submit the initial notification for Incident No. 147093 within 24 hours after the discovery of the event.
- 10 Effective Date: 06/03/2013 ADMINORDER 2012-2037-IWD-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)(1)
30 TAC Chapter 305, SubChapter F 305.125(1)
Rqmt Prov:TPDES Permit PERMIT
Description: Failure to comply with permitted effluent limitations at Outfall Nos. 001 and 003, as documented during a record review conducted on August 22, 2012. Specifically, the Respondent reported zinc daily maximum effluent concentrations of 0.79 milligrams per liter ("mg/L") during October 2011 from Outfall No. 001, and 0.89 mg/L during January 2012 and 1.71 mg/L during May 2012 from Outfall No. 003 that exceeded the 0.51 mg/L permitted effluent limitations.

See addendum for information regarding federal actions.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	April 19, 2010	(830752)
Item 2	May 06, 2010	(800659)
Item 3	May 17, 2010	(800059)
Item 4	June 02, 2010	(798048)

Item 5	June 14, 2010	(846225)
Item 6	July 21, 2010	(860822)
Item 7	July 22, 2010	(826929)
Item 8	August 10, 2010	(790152)
Item 9	September 01, 2010	(826922)
Item 10	September 20, 2010	(873859)
Item 11	October 20, 2010	(881461)
Item 12	November 22, 2010	(887991)
Item 13	December 20, 2010	(896190)
Item 14	December 21, 2010	(873611)
Item 15	December 28, 2010	(879988)
Item 16	January 31, 2011	(892535)
Item 17	March 01, 2011	(899493)
Item 18	March 21, 2011	(916300)
Item 19	April 18, 2011	(912871)
Item 20	April 20, 2011	(924727)
Item 21	April 25, 2011	(912179)
Item 22	May 20, 2011	(937981)
Item 23	June 20, 2011	(945305)
Item 24	June 30, 2011	(921626)
Item 25	July 18, 2011	(952580)
Item 26	August 18, 2011	(959262)
Item 27	August 22, 2011	(936293)
Item 28	September 06, 2011	(943156)
Item 29	September 12, 2011	(951953)
Item 30	September 19, 2011	(965291)
Item 31	October 04, 2011	(958258)
Item 32	October 25, 2011	(958441)
Item 33	October 28, 2011	(971334)
Item 34	November 04, 2011	(962637)
Item 35	January 05, 2012	(990559)
Item 36	January 18, 2012	(990560)
Item 37	March 22, 2012	(1003444)
Item 38	April 23, 2012	(1010008)
Item 39	May 22, 2012	(1016404)
Item 40	July 09, 2012	(1006480)
Item 41	July 20, 2012	(1031520)
Item 42	August 06, 2012	(1022505)
Item 43	August 20, 2012	(1037895)
Item 44	September 05, 2012	(1029689)
Item 45	September 20, 2012	(1046619)
Item 46	October 22, 2012	(1060728)
Item 47	November 19, 2012	(1060729)
Item 48	December 21, 2012	(1060730)
Item 49	January 22, 2013	(1078877)
Item 50	February 22, 2013	(1078876)
Item 51	March 18, 2013	(1089262)
Item 52	April 18, 2013	(1095656)
Item 53	May 20, 2013	(1106581)
Item 54	June 19, 2013	(1117140)
Item 55	June 24, 2013	(1110257)
Item 56	August 13, 2013	(1103417)
Item 57	August 16, 2013	(1105160)
Item 58	August 20, 2013	(1124896)
Item 59	September 24, 2013	(1129498)
Item 60	November 13, 2013	(1135227)
Item 61	November 21, 2013	(1140627)
Item 62	December 17, 2013	(1147084)
Item 63	January 27, 2014	(1153154)
Item 64	February 24, 2014	(1160490)
Item 65	March 21, 2014	(1167135)

Item 66	April 02, 2014	(1102104)
Item 67	April 15, 2014	(1174268)
Item 68	April 24, 2014	(1160240)
Item 69	April 29, 2014	(1152703)
Item 70	May 16, 2014	(1180456)
Item 71	June 23, 2014	(1187353)
Item 72	July 10, 2014	(1164888)
Item 73	July 15, 2014	(1198457)
Item 74	August 18, 2014	(1198458)
Item 75	September 18, 2014	(1205759)
Item 76	October 15, 2014	(1193113)
Item 77	October 22, 2014	(1186528)
Item 78	October 29, 2014	(1203066)
Item 79	November 06, 2014	(1197082)
Item 80	November 18, 2014	(1218422)
Item 81	December 16, 2014	(1224202)
Item 82	January 22, 2015	(1230730)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	08/19/2014	(1172266)	CN601313083
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8) 5C THSC Chapter 382 382.085(b) O1372, Special Terms and Conditions 1A OP		
	Description:	Failure to complete repairs to Tank 892 and Tank 893 within the time frame		
	Self Report?	NO		Classification: Minor
	Citation:	2167, Special Condition 36 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O1372, Special Terms and Conditions 26 OP		
	Description:	Failure to maintain the hourly SO2 concentration below 235 ppmvd at the Tail Gas Thermal Oxidizers (EPNs 435F1402 and 440F2002)		
	Self Report?	NO		Classification: Minor
	Citation:	2167, Special Condition 25 PERMIT 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1) 5C THSC Chapter 382 382.085(b) O1372, ST&C 1A and 26 OP		
	Description:	Failure to maintain the 3-hr rolling average H2S concentration below 160 ppmvd at the Fuel Gas Mixing Pot (EPN 338D0408)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a) 5C THSC Chapter 382 382.085(b) O1372, ST&C 1A OP		
	Description:	Failure to maintain the hourly CO concentration below 500 ppm at the FCCU Regen/ CO Boiler/ Wet Gas Scrubber (EPN 732D0063)		
	Self Report?	NO		Classification: Minor
	Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O1372, ST&C 1A OP		
	Description:	Failure to continuously monitor No. 3 Plant Flare and No. 4 Plant Flare (EPNs 338K0007 and 338K0008)		
	Self Report?	NO		Classification: Minor
	Citation:	2167, Special Condition 14E PERMIT 30 TAC Chapter 115, SubChapter D 115.354(3) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) O1372, ST&C 1A and 26 OP		
	Description:	Failure to conduct a weekly audio visual olfactory (AVO) inspection on connectors in the 736 Coker Unit		

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to maintain the 24-hour CO concentration below 400 ppmv at the 737 F-1 Heater on October 12 and 13, 2012 and at the 536-F2 Heater from March 24, 2013 to March 28, 2013

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter C 115.244
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 6B OP
Description: Failure to conduct daily inspections on March 24, 2013 on the vapor recovery systems for the motor vehicle fuel dispensing facility subject to Stage II control

Self Report? NO Classification: Minor
Citation: 2167, SC 14H PERMIT
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A and 26 OP
Description: Failure to repair a leaking valve within the 15-day timeframe

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.697(h)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Allowing process water to come into contact with stormwater when 537 P-26A/B sump pumps were not lined up correctly

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to collect and analyze daily samples on the Houston Street Flare on June 23 and 24, 2013 and on the 736 Coker Flare on June 7 through 9, 2013 during a period of HRVOC analyzer failures

Self Report? NO Classification: Minor
Citation: 1372, ST&C 1A and 26 OP
2167, SC 14H PERMIT
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
5C THSC Chapter 382 382.085(b)
Description: Failure to repair a leaking pump within the 15-day timeframe

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to collect and analyze samples on the 635 Cooling Tower during the downtime between August 16 and 28, 2012

Self Report? NO Classification: Minor
Citation: 2167, SC 24 PERMIT
30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, SC& C 1A and 26 OP
Description: Missed initial quality assurance of El Paso Stripper meters (water flow, air flow, and temperature) on the 635 Cooling Tower

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to complete the scheduled weekly inspections on Carbon Canisters #2, #3, and #4 on October 4, 2012

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)

5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to maintain SO2 concentration below the 12-hour rolling average NSPS Subpart J limit of 250 ppmv at the 435 and 440 Tail Gas Thermal Oxidizers (EPNs 435F1402 and 440F2002)

Self Report? NO Classification: Minor

Citation: 2167, SC 31 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP

Description: Failure to maintain CO concentration below the hourly permit limit of 100 ppmv on October 20 and 21, 2012 at the 435 Thermal Oxidizer (EPN 435F1402)

Self Report? NO Classification: Minor

Citation: 2167, SC 59B PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP

Description: Failure to begin degassing the vapor space under the landed floating roof of Tank 133TK0885 within 24 hours after the tank has been drained on October 31, 2012

Self Report? NO Classification: Minor

Citation: 2167, SC 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP

Description: Failure to maintain H2S emissions below the permit hourly emission limit of 20.72 lbs/hr when maintenance work was performed at the 230 Gas Plant, resulting in a flaring event at the No. 1 Plant Flare (EPN 338K0001) on November 6 and 7, 2012

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to maintain the uptime above 95% for the HRVOC GC analyzer on the 635 Cooling Tower for calendar year 2012

2

Date: 02/26/2015 (1192965) CN601313083

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 26 OP
NSR SC 31 PERMIT

Description: Failure to maintain the one hour average carbon monoxide concentration of the Tail Gas Thermal Oxidizer (EPN 435F1402) no greater than 100 ppmvd. (Category C4)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP

Description: Failure to take samples within 10 hours of the start of HRVOC analyzer downtimes. (Category C1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP

Description: Failure to continuously operate the Houston Street Flare (EPN 338K0005) HRVOC analyzer at least 95% of the time the flare was operational for the 2013 calendar year. (Category B1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A and 26 OP
 NSR SC 14H PERMIT
 Description: Failure to repair leaking components within 15 days. (Category C4)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP
 Description: Failure to monitor a leaking connector within 5 days of the discovery of the leak.
 (Category C1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter C 115.221
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 6A(i) OP
 Description: Failure to control vapors while transferring gasoline from a tank-truck into a
 stationary storage container. (Category B14)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart QQQ 60.692-2(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP
 Description: Failure to equip refinery wastewater drains with water seal controls. (Category
 B19.g.(1))
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A and 26 OP
 NSR SC 24 PERMIT
 Description: Failure to sample the cooling water for EPNs 536CT3701 and 430CT3791.
 (Category C1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP
 Description: Failure to conduct weekly visual inspections and monthly monitoring of eight
 pumps. (Category C1)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(E)
 30 TAC Chapter 115, SubChapter H 115.786(e)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.655(d)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A and 26 OP
 NSR SC 14K PERMIT
 Description: Failure to maintain complete records of repaired components. (Category C3)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 13J OP
 Description: Failure to maintain records identifying the waste stream information for
 instrument maintenance activities. (Category C3)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 14A OP
 Description: Failure to conduct initial and quarterly inspections on totes managing waste

streams containing benzene. (Category B1)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
FOP ST&C 10B OP

Description: Failure to conduct visual or physical inspections of refinery wastewater system drains. (Category B1)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A and 26 OP
NSR SC 14E and 58A PERMIT

Description: Failure to prevent open-ended lines following the removal of a component for repair. (Category C10)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP

Description: Failure to monitor valves in gas/vapor or light liquid service monthly. (Category B19.g.(9))

F. Environmental audits:

Notice of Intent Date: 06/14/2010 (791229)

Disclosure Date: 01/28/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)

Description: Failed to have a record of a first attempt at repair that occurred within one business day for three HRVOC components found leaking on 9/2/10 (Tag. Nos. 3173, 116728, and 305923).

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC 14

Description: Components were discovered in the South tank farm that were not adequately tagged, recorded in the LDAR database, and not monitored.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)

Description: Failed to conduct initial and annual Method 21 sampling as required by NESHA FF..

Viol. Classification: Minor

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT C 273.34
40 CFR Chapter 279, SubChapter I, PT 279, SubPT C 279.22(c)(1)

Description: Failed to have labeling done properly according to RCRA requirements as waste batteries were not labeled properly, and containers used to store used oil were not all labeled or marked clearly with the words "Used Oil"

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)(1)

Description: Records of analyzer ID and Operator ID are missing for 9 monitoring events for which leaks were detected under Refinery MACT and for 1,455 monitoring events for compliance with Chap. 115 HRVOC rules.

Notice of Intent Date: 10/30/2012 (1056332)

No DOV Associated

Notice of Intent Date: 09/11/2013 (1132426)

No DOV Associated

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 3/17/2010 and 3/17/2015

- 1 Date: 05/07/2010 (800439) CN601313083
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent the ruptured disc from blowing which resulted in the release of unauthorized emissions.
- 2 Date: 06/25/2010 (825942) CN601313083
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to prevent the rupture disc from blowing which resulted in the release of unauthorized emissions.
Classification: Minor
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THSC Chapter 382 382.085(b)
Description: Failure to report the initial notification within 24 hours of the discovery of the emissions event.
- 3 Date: 07/31/2010 (866785) CN601313083
Classification: Moderate
Self Report? YES **For Informational Purposes Only**
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 4 Date: 09/13/2010 (790226) CN601313083
Classification: Minor
Self Report? NO **For Informational Purposes Only**
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(4)
5C THSC Chapter 382 382.085(b)
Description: Houston Refining failed to make revisions to the component count when it submitted the July 1 through December 31, 2009 semiannual report. Category C3 violation.
- 5 Date: 09/21/2010 (843387) CN601313083
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 117, SubChapter G 117.8000(c)
5C THSC Chapter 382 382.085(b)
Description: Failure to document and follow reference methods properly during a 2007 stack test for 30 TAC 117 on firewater engines Dock D & E. Cat B18.
- 6 Date: 10/01/2010 (863396) CN601313083
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions which resulted from over pressuring Tank 584.
- 7 Date: 12/31/2010 (902265) CN601313083
Classification: Moderate

Self Report? YES

For Informational Purposes Only

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

8

Date: 02/18/2011 (885439)

CN601313083

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition # 1 PERMIT

Description: Failed to prevent unauthorized emissions during an emission event that occurred on December 04, 2010. Specifically, the respondent released; 2353.12 pounds (lbs) of volatile organic compounds (VOCs); 18.41 lbs of benzene; 0.07 lbs of

hydrogen sulfide from a relieve of a PSV on tank 632TK0585, during an event that lasted approximately 30 minutes (Incident # 148129)

9

Date: 04/04/2011 (857977)

CN601313083

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(ii)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 1A OP

Description: Failure to conduct seal gap measurement within 60 days of tank refill on Tank 136TK0584 (Category B1 Violation, GD 3)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 4 OP

Description: Failure to replace leg fittings on roof support legs on Tank 138TK0006. (Category B19g1 Violation, GD 4)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 1A OP

Description: Failure to conduct routine inspections on Unit 235 lift station (Category B19g1 Violation, GD 5)

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 1A OP

Description: Failure to maintain minimum benzene tower temperature above target on stripper towers 438T0001A and 438T0001B. (Category B19g1 Violation, GD 9)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter C 115.244
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 7F OP

Description: Failure to conduct daily Stage 2 inspections (Category B1 Violation, GD 16)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)(ii)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 1A OP

Description: Failure to properly seal manway cover on Storage Tank 432TK0835 (Category B19g1 Violation, GD 19)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 4 OP

Description: Failure to conduct secondary seal gap measurements within required time frame on Tank 137TK0554 (Category B1 Violation, GD 22)

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
NSR Permit 2167, SC 28A PERMIT
Title V Permit O-01372, STC 1A and 28 OP

Description: Failure to maintain the minimum heating value of 300 Btu/scf for Flare No. 3 from 15:00 to 19:00 on September 6, 2009 [Category B18; GD #18]

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372 ST&C 1A OP

Description: Failure to maintain the flow meter of Flare No. 1 in operation for 95 percent of the time during calendar years 2009 and 2010 for Flare No. 1 (EPN 338K0001) [Category C1]

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC1A OP

Description: Failure to maintain CO emissions below 400 ppm based on a 24-hour average between June 13, 2009 and May 22, 2010. [Category B19g1; GD# 11]

Classification: Minor

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THSC Chapter 382 382.085(b)
NSR Permit 2167, SC 14E PERMIT
Title V Permit O-01372, STC 1A and 28 OP

Description: Failure to seal 19 open-ended valves or lines with a cap, blind flange, plug or a second valve

This is less than one percent of potential OELs. [Category C10; GD# 12]

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
NSR Permit 2167, SC 25 PERMIT
Title V Permit O-01372 STC 1A and 28 OP

Description: Failure to maintain the concentration of H2S at the Fuel Gas Mixing Pot 338D0408 below 160 ppmv on August 16, 2009 [Category B19g1; GD# 20]

Classification: Moderate

Self Report? NO

For Informational Purposes Only

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)

Description: Title V Permit O-01372, STC 1A OP
Failure to maintain the hourly average CO emissions from the Wet Gas Scrubber 732B0002 exceeded 500 ppmv on five occasions between July 2, 2009 and August 17, 2009. [Category B19g1; GD# 21]

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
Title V Permit O-01372, STC 1A OP

Description: Failure to maintain the 12-hour average of SO2 emissions below 250 ppmv on January 3 and 4, 2010 for EPN 440F2002 [Category B19g1; GD# 8]

10

Date: 10/31/2011 (977492) CN601313083

Classification: Moderate

Self Report? YES **For Informational Purposes Only**

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

11

Date: 01/04/2012 (957213) CN601313083

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 14E PA
Special Term & Condition 28 OP

Description: Failure to seal 2 open end lines with a cap, plug, or blind flange, or second valve. (Category C10)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 14E PA
Special Term & Condition 28 OP

Description: Failure to conduct auditory, visual, and olfactory inspections of connector components on a weekly basis. (Category B3)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.348(a)(1)(i)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain a treatment process that removes benzene from a waste stream to a level less than 10 ppmw during one occasion on August 2, 2010 and three occasions on December 28, 2010. (Category B19g1)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 28A PA
Special Terms & Conditions 1A & 28 OP

Description: Failure to maintain heating values at or greater than 300 Btu/scf for the No. 3 Plant Flare (EPN: 338K0007), the No.1 Plant Flare (EPN: 338K0001) and the Houston Street Flare (338K0005). (Category B18)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to maintain the hourly CO concentration limit of 500 ppm for the FCCU
Regen / CO Boiler / Wet Gas Scrubber (EPN: 732D0063). (Category B19g1)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 31 PA
Special Term & Condition 1A & 28 OP
Description: Failure to maintain the hourly CO concentration limit of 100 ppmvd at the Tail Gas
Thermal Oxidizer (EPN: 435F1402) and Tail Gas Thermal Oxidizer (EPN:
440F2002). (Category B19g1)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 36 PA
Special Terms & Conditions 1A & 28 OP
Description: Failure to maintain the hourly SO2 concentration limit of 235 ppmvd at the Tail
Gas Thermal Oxidizer (EPN: 435F1402) and Tail Gas Thermal Oxidizer (EPN:
440F2002). (Category B19g1)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to operate the continuous monitoring system on No. 1 Plant Flare (EPN:
338K0001) at least 95% of the time when the flare was operational for calendar
year 2010. (Category C1)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
5C THSC Chapter 382 382.085(b)
Description: Failure to operate the continuous monitoring system on the Coker Cooling Tower
(EPN: 737CT3701) at least 95% of the time when the cooling tower was
operational for calendar year 2010. (Category C1)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to conduct routine monitoring of the primary and secondary canister
exhaust for the Benzene lift stations on a daily basis. (Category B1)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter C 115.224(2)
5C THSC Chapter 382 382.085(b)
Description: Failure to possess a current leak test on tank-truck during a delivery on March 11,
2011. (Category C1)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 4 OP
Description: Failure to close a sample nozzle on external floating roof (EFR) Storage Tank
(EPN: 137TK0425). (Category C4)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 115, SubChapter B 115.144(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Terms & Conditions 1A & 4 OP

Description: Failure to conduct secondary seal inspections of the Light Hydrotreated Naphtha EFR Tank No. 135TK0807 (EPN: 135TK0807), Process Wastewater EFR Tank No. 136TK0558 (EPN: 136TK0558), Process Wastewater EFR Tank No. 432TK0810 (EPN: 432TK0810) and Process Wastewater EFR Tank No. 432TK0811 (EPN: 432TK0811) in a timely manner. (Category B1)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to collect samples when the HRVOC on-line analyzer was not operational. (Category B1)

12 Date: 01/31/2012 (997924) CN601313083

Classification: Moderate

Self Report? YES **For Informational Purposes Only**

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

13 Date: 04/03/2012 (995054) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain the 24- hour rolling average CO concentration limit of 400 ppmvd at Atmospheric Tower Heater (EPN: 536F0001A) and Heater B5-733 LEF Reboiler (EPN: 733F0005). (Category B19g1) Repeat "B" Violation

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 25 PA
Special Terms & Conditions 1A & 28 OP

Description: Failure to maintain 3-hour rolling average H2S concentration below the limit of 160 ppmvd at the Fuel Gas Mixing Pot (EPN: 338D0408). (Category B19g1) Repeat "B" Violation

14 Date: 05/24/2012 (996437) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to pinhole leaks in the No. 3 Pentane Transfer pipeline.

15 Date: 05/31/2012 (1024125) CN601313083

Classification: Moderate

Self Report? YES **For Informational Purposes Only**

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

16 Date: 06/11/2012 (997444) CN601313083

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to maintain compliance with effluent limits.

17 Date: 07/12/2012 (1002848) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failure to meet the demonstration criteria for an affirmative defense for unauthorized emissions during Emissions Event # 167534. [Subcategory B13]

18 Date: 07/26/2012 (1013316) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
SC-1 PERMIT
Description: Failure to prevent an avoidable crack in a 3/4" bleed line from a benzene/toluene transfer line in an elevated pipe rack. [Subcategory B.13]

19 Date: 11/16/2012 (1029244) CN601313083

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 14E PA
Special Terms & Conditions 1A & 28 OP
Description: Failure to seal two open ended lines with a cap, plug, or blind flange, or second valve. (Category C10)

Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to record a non-repairable leaking pump in the delay of repair report. (Category C3)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(g)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to repair a leaking fugitive emission component within 15 days. (Category C3)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP
Description: Failure to maintain the FCCU Regen / CO Boiler / Wet Gas Scrubber (EPN:732D0063) hourly CO concentration below 500 ppm. (Category B13)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Special Condition 31 PA
 Special Term & Condition 28 OP
 Description: Failure to maintain the Tail Gas Thermal Oxidizer (EPN: 435F1402) hourly CO concentration of 100 ppmvd. (Category B13)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Description: Failure to maintain the 737 Heater F0001 (EPN: 737F0001) 24-hour rolling average CO concentration of 400 ppmvd. (Category B13)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 36 PA
 Special Term & Condition 28 OP
 Description: Failure to maintain the Tail Gas Thermal Oxidizer (EPN: 435F1402) and Tail Gas Thermal Oxidizer (EPN: 440F2002) hourly SO2 concentration of 235 ppmvd. (Category B13)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
 5C THSC Chapter 382 382.085(b)
 Special Term & Condition 1A OP
 Description: Failure to maintain the 435 Thermal Oxidizer (EPN: 435F1402) and 440 Thermal Oxidizer (EPN: 440F2002) 12-hour rolling average SO2 concentration of 250 ppmvd. (Category B13)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition 25 PA
 Special Term & Condition 28 OP
 Description: Failure to maintain 3-hour rolling average H2S concentration of 160 ppmvd at the Fuel Gas Mixing Pot (EPN: 338D0408). (Category B13)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)
 5C THSC Chapter 382 382.085(b)
 Special Condition 28B PA
 Special Terms & Conditions 1A & 28 OP
 Description: Failure to maintain a flare pilot flame on the Houston Street Flare (EPN: 338K0005) at all times. (Category B18)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(b)
 5C THSC Chapter 382 382.085(b)
 Special Condition 24 PA
 Special Terms & Conditions 1A & 28 OP
 Description: Failure to sample and test the cooling water at the 637 Cooling Tower as required. (Category B1)
 Classification: Moderate
 Self Report? NO **For Informational Purposes Only**
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 19D PA
Special Terms & Conditions 1A & 28 OP
Description: Failure to conduct an inspection of the IFR Storage Tank (EPN: 430TK4002) in a timely manner. (Category B1)

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 59 PA
Special Terms & Conditions 1A & 28 OP

Description: Failure to prevent the landing of the floating roofs to Storage Tanks (EPNs: 135TK0806 and 135TK0809). (Category C4)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(4)
30 TAC Chapter 115, SubChapter B 115.144(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to conduct secondary seal inspections of IFR Tank No. 430TK4001 (EPN: 430TK4001) and EFR Tank No. 432TK0838 (EPN: 432TK0838) in a timely manner. (Category B1)

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(d)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to complete repairs to the EFR Storage Tanks (EPNs: 138TK0893 and 432TK0811) in a timely manner. (Category C4)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Term & Condition 1A OP

Description: Failure to maintain the VOC concentration of 20 ppmv for the 831 Vacuum Eductors Common Stack. (Category B13)

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Date: 08/23/2013 (1100498) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 2167 PERMIT
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to prevent unauthorized emissions. Specifically, Houston Refining failed to prevent the overloading of the refinery fuel gas causing release from No. 4 Plant Flare and a release at the pressure relief valve (PSV22) from 231-Unit. (Category B13)

21*

Date: 08/19/2014 (1172266) CN601313083

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)
5C THSC Chapter 382 382.085(b)
O1372, Special Terms and Conditions 1A OP

Description: Failure to complete repairs to Tank 892 and Tank 893 within the time frame

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 2167, Special Condition 36 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, Special Terms and Conditions 26 OP
Description: Failure to maintain the hourly SO2 concentration below 235 ppmvd at the Tail Gas Thermal Oxidizers (EPNs 435F1402 and 440F2002)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 2167, Special Condition 25 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A and 26 OP
Description: Failure to maintain the 3-hr rolling average H2S concentration below 160 ppmvd at the Fuel Gas Mixing Pot (EPN 338D0408)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.103(a)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to maintain the hourly CO concentration below 500 ppm at the FCCU Regen/ CO Boiler/ Wet Gas Scrubber (EPN 732D0063)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to continuously monitor No. 3 Plant Flare and No. 4 Plant Flare (EPNs 338K0007 and 338K0008)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 2167, Special Condition 14E PERMIT
30 TAC Chapter 115, SubChapter D 115.354(3)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A and 26 OP
Description: Failure to conduct a weekly audio visual olfactory (AVO) inspection on connectors in the 736 Coker Unit
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to maintain the 24-hour CO concentration below 400 ppmv at the 737 F-1 Heater on October 12 and 13, 2012 and at the 536-F2 Heater from March 24, 2013 to March 28, 2013
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter C 115.244
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 6B OP
Description: Failure to conduct daily inspections on March 24, 2013 on the vapor recovery systems for the motor vehicle fuel dispensing facility subject to Stage II control
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 2167, SC 14H PERMIT
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A and 26 OP

Description: Failure to repair a leaking valve within the 15-day timeframe
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.697(h)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Allowing process water to come into contact with stormwater when 537 P-26A/B sump pumps were not lined up correctly
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to collect and analyze daily samples on the Houston Street Flare on June 23 and 24, 2013 and on the 736 Coker Flare on June 7 through 9, 2013 during a period of HRVOC analyzer failures
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 1372, ST&C 1A and 26 OP
2167, SC 14H PERMIT
30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to repair a leaking pump within the 15-day timeframe
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to collect and analyze samples on the 635 Cooling Tower during the downtime between August 16 and 28, 2012
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 2167, SC 24 PERMIT
30 TAC Chapter 115, SubChapter H 115.764(a)(6)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, SC& C 1A and 26 OP

Description: Missed initial quality assurance of El Paso Stripper meters (water flow, air flow, and temperature) on the 635 Cooling Tower
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(d)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to complete the scheduled weekly inspections on Carbon Canisters #2, #3, and #4 on October 4, 2012
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP

Description: Failure to maintain SO2 concentration below the 12-hour rolling average NSPS Subpart J limit of 250 ppmv at the 435 and 440 Tail Gas Thermal Oxidizers
(EPNs 435F1402 and 440F2002)
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 2167, SC 31 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP
Description: Failure to maintain CO concentration below the hourly permit limit of 100 ppmv on October 20 and 21, 2012 at the 435 Thermal Oxidizer (EPN 435F1402)
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 2167, SC 59B PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP
Description: Failure to begin degassing the vapor space under the landed floating roof of Tank 133TK0885 within 24 hours after the tank has been drained on October 31, 2012
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 2167, SC 1 PERMIT
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 26 OP
Description: Failure to maintain H2S emissions below the permit hourly emission limit of 20.72 lbs/hr when maintenance work was performed at the 230 Gas Plant, resulting in a flaring event at the No. 1 Plant Flare (EPN 338K0001) on November 6 and 7, 2012
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
O1372, ST&C 1A OP
Description: Failure to maintain the uptime above 95% for the HRVOC GC analyzer on the 635 Cooling Tower for calendar year 2012

22 Date: 02/26/2015 (1192965) CN601313083
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 26 OP
NSR SC 31 PERMIT
Description: Failure to maintain the one hour average carbon monoxide concentration of the Tail Gas Thermal Oxidizer (EPN 435F1402) no greater than 100 ppmvd. (Category C4)
Classification: Minor

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP
Description: Failure to take samples within 10 hours of the start of HRVOC analyzer downtimes. (Category C1)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(3)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP
Description: Failure to continuously operate the Houston Street Flare (EPN 338K0005) HRVOC analyzer at least 95% of the time the flare was operational for the 2013 calendar year. (Category B1)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)
 30 TAC Chapter 115, SubChapter H 115.782(b)(2)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A and 26 OP
 NSR SC 14H PERMIT

Description: Failure to repair leaking components within 15 days. (Category C4)
 Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP

Description: Failure to monitor a leaking connector within 5 days of the discovery of the leak.
 (Category C1)
 Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter C 115.221
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 6A(i) OP

Description: Failure to control vapors while transferring gasoline from a tank-truck into a
 stationary storage container. (Category B14)
 Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Part 60, Subpart QQQ 60.692-2(a)(1)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP

Description: Failure to equip refinery wastewater drains with water seal controls. (Category
 B19.g.(1))
 Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter H 115.764(d)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A and 26 OP
 NSR SC 24 PERMIT

Description: Failure to sample the cooling water for EPNs 536CT3701 and 430CT3791.
 (Category C1)
 Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(B)
 30 TAC Chapter 115, SubChapter H 115.781(b)
 30 TAC Chapter 115, SubChapter H 115.781(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
 5C THSC Chapter 382 382.085(b)
 FOP ST&C 1A OP

Description: Failure to conduct weekly visual inspections and monthly monitoring of eight
 pumps. (Category C1)
 Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(E)
 30 TAC Chapter 115, SubChapter H 115.786(e)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.655(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(d)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A and 26 OP
NSR SC 14K PERMIT

Description: Failure to maintain complete records of repaired components. (Category C3)
Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(b)
5C THSC Chapter 382 382.085(b)
FOP ST&C 13J OP

Description: Failure to maintain records identifying the waste stream information for instrument maintenance activities. (Category C3)
Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(a)(1)(i)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)
5C THSC Chapter 382 382.085(b)
FOP ST&C 14A OP

Description: Failure to conduct initial and quarterly inspections on totes managing waste streams containing benzene. (Category B1)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)
5C THSC Chapter 382 382.085(b)
FOP ST&C 10B OP

Description: Failure to conduct visual or physical inspections of refinery wastewater system drains. (Category B1)

Classification: Minor

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A and 26 OP
NSR SC 14E and 58A PERMIT

Description: Failure to prevent open-ended lines following the removal of a component for repair. (Category C10)

Classification: Moderate

Self Report? NO **For Informational Purposes Only**

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)
5C THSC Chapter 382 382.085(b)
FOP ST&C 1A OP

Description: Failure to monitor valves in gas/vapor or light liquid service monthly. (Category B19.g.(9))

* NOV's applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

Appendix B

All Investigations Conducted During Component Period March 17, 2010 and March 17, 2015

(786517)

Item 1 April 15, 2010** **For Informational Purposes Only**

(794008)

Item 2 April 16, 2010** **For Informational Purposes Only**

(830752)

Item 3*	April 19, 2010**	For Informational Purposes Only (800225)
Item 4	April 27, 2010**	For Informational Purposes Only (800439)
Item 5	May 06, 2010**	For Informational Purposes Only (800059)
Item 6*	May 17, 2010**	For Informational Purposes Only (798048)
Item 7*	June 02, 2010**	For Informational Purposes Only (846225)
Item 8*	June 14, 2010**	For Informational Purposes Only (827282)
Item 9	June 21, 2010**	For Informational Purposes Only (825942)
Item 10	June 25, 2010**	For Informational Purposes Only (828092)
Item 11	July 07, 2010**	For Informational Purposes Only (860822)
Item 12*	July 21, 2010**	For Informational Purposes Only (826929)
Item 13*	July 22, 2010**	For Informational Purposes Only (828489)
Item 14	July 23, 2010**	For Informational Purposes Only (790152)
Item 15*	August 10, 2010**	For Informational Purposes Only (866785)
Item 16	August 19, 2010**	For Informational Purposes Only (857772)
Item 17	August 31, 2010**	For Informational Purposes Only (826922)
Item 18*	September 01, 2010**	For Informational Purposes Only (790226)
Item 19	September 13, 2010**	For Informational Purposes Only (843387)
Item 20	September 17, 2010**	For Informational Purposes Only (873859)
Item 21*	September 20, 2010**	For Informational Purposes Only (865431)
Item 22	September 27, 2010**	For Informational Purposes Only (863396)
Item 23	September 30, 2010**	For Informational Purposes Only (871052)
Item 24	October 19, 2010**	For Informational Purposes Only

Item 25*	October 20, 2010**	(881461) For Informational Purposes Only
Item 26	October 22, 2010**	(871556) For Informational Purposes Only
Item 27*	November 22, 2010**	(887991) For Informational Purposes Only
Item 28	December 03, 2010**	(866411) For Informational Purposes Only
Item 29	December 10, 2010**	(881351) For Informational Purposes Only
Item 30*	December 20, 2010**	(896190) For Informational Purposes Only
Item 31*	December 21, 2010**	(873611) For Informational Purposes Only
Item 32*	December 28, 2010**	(879988) For Informational Purposes Only
Item 33	January 18, 2011**	(891756) For Informational Purposes Only
Item 34	January 24, 2011**	(902265) For Informational Purposes Only
Item 35*	January 31, 2011**	(892535) For Informational Purposes Only
Item 36	February 11, 2011**	(887217) For Informational Purposes Only
Item 37	February 18, 2011**	(885439) For Informational Purposes Only
Item 38*	March 01, 2011**	(899493) For Informational Purposes Only
Item 39*	March 21, 2011**	(916300) For Informational Purposes Only
Item 40	March 24, 2011**	(906602) For Informational Purposes Only
Item 41	March 29, 2011**	(907606) For Informational Purposes Only
Item 42	March 31, 2011**	(905663) For Informational Purposes Only
Item 43	April 04, 2011**	(857977) For Informational Purposes Only
Item 44*	April 18, 2011**	(912871) For Informational Purposes Only
Item 45*	April 20, 2011**	(924727) For Informational Purposes Only

		(912179)
Item 46*	April 25, 2011**	For Informational Purposes Only
		(937981)
Item 47*	May 20, 2011**	For Informational Purposes Only
		(945305)
Item 48*	June 20, 2011**	For Informational Purposes Only
		(921626)
Item 49*	June 30, 2011**	For Informational Purposes Only
		(952580)
Item 50*	July 18, 2011**	For Informational Purposes Only
		(959262)
Item 51*	August 18, 2011**	For Informational Purposes Only
		(936293)
Item 52*	August 22, 2011**	For Informational Purposes Only
		(951792)
Item 53	August 31, 2011**	For Informational Purposes Only
		(943156)
Item 54*	September 06, 2011**	For Informational Purposes Only
		(951953)
Item 55*	September 12, 2011**	For Informational Purposes Only
		(965291)
Item 56*	September 19, 2011**	For Informational Purposes Only
		(958258)
Item 57*	October 04, 2011**	For Informational Purposes Only
		(958441)
Item 58*	October 25, 2011**	For Informational Purposes Only
		(971334)
Item 59*	October 28, 2011**	For Informational Purposes Only
		(962637)
Item 60*	November 04, 2011**	For Informational Purposes Only
		(977492)
Item 61	November 28, 2011**	For Informational Purposes Only
		(957213)
Item 62	January 04, 2012**	For Informational Purposes Only
		(990559)
Item 63*	January 05, 2012**	For Informational Purposes Only
		(990560)
Item 64*	January 18, 2012**	For Informational Purposes Only
		(997924)
Item 65	February 21, 2012**	For Informational Purposes Only
		(1003444)
Item 66*	March 22, 2012**	For Informational Purposes Only
		(981604)

Item 67	April 03, 2012**	For Informational Purposes Only (1010008)
Item 68*	April 23, 2012**	For Informational Purposes Only (1001840)
Item 69	May 09, 2012**	For Informational Purposes Only (1016404)
Item 70*	May 22, 2012**	For Informational Purposes Only (996437)
Item 71	May 24, 2012**	For Informational Purposes Only (997444)
Item 72	June 11, 2012**	For Informational Purposes Only (1024125)
Item 73	June 20, 2012**	For Informational Purposes Only (1006480)
Item 74*	July 09, 2012**	For Informational Purposes Only (1002848)
Item 75	July 12, 2012**	For Informational Purposes Only (1031520)
Item 76*	July 20, 2012**	For Informational Purposes Only (1013316)
Item 77	July 26, 2012**	For Informational Purposes Only (1022505)
Item 78*	August 06, 2012**	For Informational Purposes Only (1023180)
Item 79	August 15, 2012**	For Informational Purposes Only (1037895)
Item 80*	August 20, 2012**	For Informational Purposes Only (1029689)
Item 81*	September 05, 2012**	For Informational Purposes Only (1028461)
Item 82	September 06, 2012**	For Informational Purposes Only (1046619)
Item 83*	September 20, 2012**	For Informational Purposes Only (1060728)
Item 84*	October 22, 2012**	For Informational Purposes Only (1036659)
Item 85	October 26, 2012**	For Informational Purposes Only (1029244)
Item 86	November 16, 2012**	For Informational Purposes Only (1060729)
Item 87*	November 19, 2012**	For Informational Purposes Only (1035651)

Item 88	November 20, 2012**	For Informational Purposes Only (791357)
Item 89	December 07, 2012**	For Informational Purposes Only (1060730)
Item 90*	December 21, 2012**	For Informational Purposes Only (1050997)
Item 91	January 11, 2013**	For Informational Purposes Only (1078877)
Item 92*	January 22, 2013**	For Informational Purposes Only (1078876)
Item 93*	February 22, 2013**	For Informational Purposes Only (1089262)
Item 94*	March 18, 2013**	For Informational Purposes Only (1095656)
Item 95*	April 18, 2013**	For Informational Purposes Only (1085363)
Item 96	April 30, 2013**	For Informational Purposes Only (1106581)
Item 97*	May 20, 2013**	For Informational Purposes Only (1117140)
Item 98*	June 19, 2013**	For Informational Purposes Only (1110257)
Item 99*	June 24, 2013**	For Informational Purposes Only (1103417)
Item 100*	August 13, 2013**	For Informational Purposes Only (1105160)
Item 101*	August 16, 2013**	For Informational Purposes Only (1124896)
Item 102*	August 20, 2013**	For Informational Purposes Only (1100498)
Item 103	August 21, 2013**	For Informational Purposes Only (1129498)
Item 104*	September 24, 2013**	For Informational Purposes Only (1124331)
Item 105	October 22, 2013**	For Informational Purposes Only (1135227)
Item 106*	November 13, 2013**	For Informational Purposes Only (1128548)
Item 107	November 15, 2013**	For Informational Purposes Only (1140627)
Item 108*	November 21, 2013**	For Informational Purposes Only (1147084)
Item 109*	December 17, 2013**	For Informational Purposes Only

Item 110*	January 27, 2014**	(1153154) For Informational Purposes Only
Item 111*	February 24, 2014**	(1160490) For Informational Purposes Only
Item 112*	March 21, 2014**	(1167135) For Informational Purposes Only
Item 113*	April 02, 2014**	(1102104) For Informational Purposes Only
Item 114*	April 15, 2014**	(1174268) For Informational Purposes Only
Item 115*	April 24, 2014**	(1160240) For Informational Purposes Only
Item 116*	April 29, 2014**	(1152703) For Informational Purposes Only
Item 117*	May 16, 2014**	(1180456) For Informational Purposes Only
Item 118*	June 23, 2014**	(1187353) For Informational Purposes Only
Item 119*	July 10, 2014**	(1164888) For Informational Purposes Only
Item 120*	July 15, 2014**	(1198457) For Informational Purposes Only
Item 121*	August 18, 2014**	(1198458) For Informational Purposes Only
Item 122	August 19, 2014**	(1172266) For Informational Purposes Only
Item 123*	September 18, 2014	(1205759) For Informational Purposes Only
Item 124*	October 15, 2014	(1193113) For Informational Purposes Only
Item 125*	October 22, 2014	(1186528) For Informational Purposes Only
Item 126*	October 29, 2014	(1203066) For Informational Purposes Only
Item 127*	November 06, 2014	(1197082) For Informational Purposes Only
Item 128*	November 18, 2014	(1218422) For Informational Purposes Only
Item 129*	December 16, 2014	(1224202) For Informational Purposes Only
Item 130	January 05, 2015	(1209641) For Informational Purposes Only

(1230730)

Item 131* January 22, 2015 **For Informational Purposes Only**

(1192965)

Item 132 February 26, 2015 **For Informational Purposes Only**

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

Addendum to Compliance History Federal Enforcement Actions

Reg Entity Name: **HOUSTON REFINING**

Reg Entity Add: 12000 LAWNDAL AVENUE

Reg Entity City: HOUSTON

Reg Entity No: RN100218130

Customer Name: Houston Refining L.P.

Customer No: CN601313083

EPA Case No: **06-2009-3406**

Order Issue Date (yyyymmdd): 20100423

Case Result:

Statute: CAA

Sect of Statute: 110

Classification: Moderate

Program: Nonattainment/SIP Provi

Citation:

Violation Type: New Source Review

Cite Sect:

Cite Part:

Enforcement Action: Concer Decree/Court Order

Reg Entity Name: **HOUSTON REFINING, L.P.**

Reg Entity Add: 2000 LAWNDAL AVENUE

Reg Entity City: HOUSTON

Reg Entity No: RN100218130

Customer Name: LYONDELL-CITGO REFINING COMPANY
ITD

Customer No: CN602600140

EPA Case No: **06-2013-1784**

Order Issue Date (yyyymmdd): 20130411

Case Result: Unilateral Administrative O

Statute: CWA

Sect of Statute: 301/402

Classification: Minor

Program: NPDES - Base Program

Citation:

Violation Type: Violation of a Permit
Requirement

Cite Sect:

Cite Part:

Enforcement Action: Administrative Compliance Order

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HOUSTON REFINING LP
RN100218130**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2015-0454-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Houston Refining LP ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a petroleum refinery located at 12000 Lawndale Street in Houston, Harris County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review conducted from October 14, 2014 through January 23, 2015, TCEQ staff documented that the Respondent exceeded the maximum concentration limit of 250 parts per million by volume dry ("ppmvd") of sulfur dioxide ("SO₂") and the maximum concentration limit of 235 ppmvd of SO₂ based on a one-hour average for Emission Point Number ("EPN") 435F1402 on two occasions on July 4, 2013 and six occasions from January 24, 2014 through May 22, 2014 by concentrations that ranged from 240 ppmvd of SO₂ to 2,033 ppmvd of SO₂; and for EPN 440F2002 on 21 occasions from July 4, 2013 through May 22, 2014 by concentrations that ranged from 237 ppmvd of SO₂ to 1,354 ppmvd of SO₂.
4. During a record review conducted from October 14, 2014 through January 23, 2015, TCEQ staff documented that the Respondent exceeded the maximum concentration limit of 500 ppmvd of carbon monoxide ("CO") for the Wet Gas Scrubber, EPN 732D0063, on 26 occasions during the period from August 24, 2013 through April 17, 2014 by concentrations that ranged from 520 ppmvd of CO to 1,000 ppmvd of CO.
5. During a record review conducted from October 14, 2014 through January 23, 2015, TCEQ staff documented that the Respondent exceeded the maximum concentration limit of 400 parts per million by volume ("ppmv") of CO at 3.0% oxygen ("O₂") based on a rolling 24-hour averaging period for the Vacuum Tower Heater, EPN 536F0002, on 134 occasions from December 24, 2013 through December 30, 2013 by concentrations that ranged from 401 ppmv of CO at 3.0% O₂ to 494 ppmv of CO at 3.0% O₂; Vacuum Heater No. 1, EPN 537F0002, on 69 occasions on August 3 and 4, 2013 and from April 5 through 7, 2014 by concentrations that ranged from 406 ppmv of CO at 3.0% O₂ to 1,200 ppmv of CO at 3.0% O₂; 737 Heater F001, EPN 737F0001, on 14 occasions on December 23, 2013 by concentrations that ranged from 410 ppmv of CO at 3.0% O₂ to 488 ppmv of CO at 3.0% O₂; and Marine Vapor Combustor, EPN 139SP1700A, on 29 occasions from April 10, 2014 through May 18, 2014 by concentrations that ranged from 402 ppmv of CO at 3.0% O₂ to 536 ppmv of CO at 3.0% O₂.
6. During a record review conducted from October 14, 2014 through January 23, 2015, TCEQ staff documented that the Respondent exceeded the maximum concentration limit of 160 ppmv of hydrogen sulfide ("H₂S") based on 3-hour rolling average for the refinery gas on 11 occasions from September 3, 2013 through December 5, 2013 and two occasions on June 21, 2014 by concentrations that ranged from 165 ppmv of H₂S to 688 ppmv of H₂S.
7. The Respondent received notice of the violations on March 3, 2015.
8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. By April 18, 2014, implemented measures to demonstrate compliance with the CO concentration limit for EPN 732D0063;

- b. By May 22, 2014, implemented measures to demonstrate compliance with the SO₂ concentration limits for EPNs 435F1402 and 440F2002;
- c. By June 2, 2014, implemented measures to demonstrate compliance with the CO concentration limits for EPNs 536F0002, 537F0002, 139SP1700A, and 737F0001; and
- d. By June 21, 2014, implemented measures to demonstrate compliance with the H₂S concentration limit for the refinery fuel gas.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CODE OF FEDERAL REGULATIONS ("CFR") § 60.104(a)(2)(i), Federal Operating Permit ("FOP") No. O1372, Special Terms and Conditions ("STC") Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, Special Conditions ("SC") No. 36.
3. As evidenced by Findings of Fact No. 4, the Respondent failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CFR § 60.103(a), and FOP No. O1372, STC No. 1.A.
4. As evidenced by Findings of Fact No. 5, the Respondent failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 117.310(c)(1)(A) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), and FOP No. O1372, STC No. 1.A.
5. As evidenced by Findings of Fact No. 6, the Respondent failed to comply with the concentration limits, in violation of 30 TEX. ADMIN. CODE §§ 101.20(1) and (3), 116.715(a), and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), 40 CFR § 60.104(a)(1), FOP No. O1372, STC Nos. 1.A. and 26, and Flexible Permit Nos. 2167 and PSDTX985, SC No. 25.
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
7. An administrative penalty in the amount of One Hundred Eighteen Thousand One Hundred Twenty-Seven Dollars (\$118,127) is justified by the facts recited in this Agreed

Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Fifty-Nine Thousand Sixty-Four Dollars (\$59,064) of the administrative penalty and Fifty-Nine Thousand Sixty-Three Dollars (\$59,063) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of One Hundred Eighteen Thousand One Hundred Twenty-Seven Dollars (\$118,127) as set forth in Section II, Paragraph 7 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Houston Refining LP, Docket No. 2015-0454-AIR-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 7 above, Fifty-Nine Thousand Sixty-Three Dollars (\$59,063) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the assessed administrative penalty shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent

shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



12/2/15

For the Executive Director

Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Houston Refining LP. I am authorized to agree to the attached Agreed Order on behalf of Houston Refining LP, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Houston Refining LP waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

9/26/15

Date

GREG NEVERMANN

Name (Printed or typed)

Authorized Representative of
Houston Refining LP

REFINERY MANAGER

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

Attachment A
Docket Number: 2015-0454-AIR-E
SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Houston Refining LP
Penalty Amount:	One Hundred Eighteen Thousand One Hundred Twenty-Seven Dollars (\$118,127)
SEP Offset Amount:	Fifty-Nine Thousand Sixty-Three Dollars (\$59,063)
Type of SEP:	Contribution to a Third-Party Pre-Approved SEP
Third-Party Administrator:	Texas City Independent School District
Project Name:	<i>TCISD Alternative Fuel School Bus Program</i>
Location of SEP:	Houston-Galveston Airshed

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

a. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas City Independent School District** for the *TCISD Alternative Fuel School Bus Program* project. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to purchase lower-emission propane fueled school buses that are model year 2010 or newer ("Replacement Bus(es)") to replace buses currently in the fleet that are model year 2006 or older ("Older Bus(es)"). The Older Buses will then be decommissioned, thus permanently removing them from the roads. The SEP Offset Amount shall only be used for the purchase of a base model propane fueled Replacement Bus. The Third-Party Administrator shall own and operate each Replacement Bus for at least five years following the date of purchase.

The Third-Party Administrator shall give preference to replacing the oldest, most polluting buses within its fleet. Only Older Buses that are currently in regular use, driven on a regular route on a weekly basis for at least the past two years are eligible for replacement.

Houston Refining LP
Agreed Order - Attachment A

The Third-Party Administrator shall ensure that each Replacement Bus purchased has an engine that meets the Environmental Protection Agency's 2010 emissions standards. Additionally, all Older Buses that are replaced shall be fully decommissioned as required in the SEP Vehicle Disposition Form. All funds received for the scrap value of the Older Bus shall be deposited into the SEP Account and become part of the SEP. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The Project will directly benefit air quality in Third-Party Administrator's region by reducing harmful exhaust emissions from older school buses by replacing them with lower-emission propane buses. Older school bus engines emit greater amounts of harmful pollutants such as nitrous oxides, particulate matter, volatile organic compounds, and carbon monoxide than newer, lower-emission buses. These pollutants contribute to the formation of ground level ozone which damages vegetation and ecosystems and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas City Independent School District SEP** and shall mail the contribution with a copy of the Agreed Order to:

Houston Refining LP
Agreed Order - Attachment A

Texas City Independent School District SEP
Attention: John Johnson, Consultant
2901 Turtle Creek Drive, Suite 445
Port Arthur, Texas 77642

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality", and shall mail it to:

Texas Commission on Environmental Quality
Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.